

United States District Court  
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

ROLANDO MAGANA-GARCIA

**CRIMINAL COMPLAINT**

Case Number:

MS-10-564 JSM

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about December 14, 2010, in Ramsey County, in the State and District of Minnesota, defendant(s)

an alien, who had previously been removed subsequent to a conviction for a felony, namely: Conspiracy to Commit Fraud with Identification Documents, in the Northern District of Illinois, on June 4, 2002, knowingly and unlawfully was found in the United States without obtaining permission from the Attorney General or the Secretary of Homeland Security to re-apply for admission into the United States,

in violation of Title 8, United States Code, Section(s) 1326(a) and 1326(b)(1).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:  
SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

The Honorable Janie S. Mayeron  
UNITED STATES MAGISTRATE JUDGE

Name &amp; Title of Judicial Officer

Signature of Complainant

Tonya M. Slager

U.S. Immigration and Customs Enforcement

St. Paul, MN

City and State

Signature of Judicial Officer

DEC 28 2010

U.S. District Court     )  
                                      )  
District of Minnesota    )

ss. **AFFIDAVIT OF SA Tonya M. Slager**

**AFFIDAVIT**

I, Tonya M. Slager, being duly sworn under oath, depose and state as follows:

1. I am a Special Agent with United States Department of Homeland Security Immigration and Customs Enforcement (ICE) and have been so employed since December of 2008. I was previously a probation officer in Dakota County and Rice County. I earned a Masters of Arts in Criminology from the University of Minnesota, Duluth. I have been assigned to the Document and Benefit Fraud Task Force (DBFTF) for the past year and a half.

2. This affidavit is submitted for the limited purpose of establishing probable cause in support of the attached complaint and therefore contains only a summary of the relevant facts. I have not included each and every fact known by me concerning the individuals and events described herein. The information contained in this affidavit is based on my firsthand knowledge, review of Immigration records, and information provided by other law enforcement officers and witnesses.

3. Rolando MAGANA-Garcia is a citizen of Mexico. He is not a citizen, permanent resident, or national of the United States.

4. On June 4, 2002, MAGANA-Garcia was convicted in United States District Court, Northern District of Illinois for one count of Title 18, United States Code, Section 1028(f), Attempt and conspiracy related to fraud in connection with identification documents. MAGANA-Garcia was sentenced to 24 months imprisonment and 36 months supervised release for the above conviction.

5. On February 14, 2003, MAGANA-Garcia was removed from the United States. A Warrant for Removal/Deportation (Form I-205) documents this departure with the signature and right index fingerprint of defendant.

6. On or about April or May of 2005, MAGANA-Garcia entered the United States without inspection through Arizona by way of the Colorado River.

7. On December 14, 2010, Homeland Security Investigations, Document and Benefit Fraud Task Force agents encountered MAGANA-Garcia during a document operation in St. Paul, Minnesota. MAGANA-Garcia presented with a fraudulent name but was later identified as MAGANA-Garcia by his fingerprints. MAGANA-Garcia provided a sworn statement admitting his re-entry and his involvement in selling fraudulent Green cards and Social Security cards.

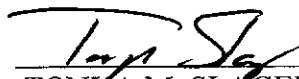
8. Your Affiant completed a fingerprint search of MAGANA-Garcia which revealed FBI number 930952TB5. Your Affiant queried FBI #930952TB5, which is associated with MAGANA-Garcia. The criminal history associated with that number revealed a prior arrest in Illinois for Title 18, United States Code, Section 1028(f), Attempt and conspiracy related to the fraudulent use of identification documents in Chicago, Illinois in 2002. The criminal history also revealed MAGANA-Garcia entered into custody at Federal Bureau of Prisons – Eloy, Arizona on July 10, 2002. MAGANA-Garcia's fingerprints also revealed an Alien Number of A077 656 351. Database checks using the Alien Number showed a prior deportation on February 14, 2003.

9. MAGANA-Garcia did not apply for nor did he receive permission to re-enter the United States.

10. Based on my knowledge and understanding of Immigration laws and regulations, MAGANA-Garcia violated Title 8, United States Code, Sections 1326(a) and 1326 (b)(1) in that

he re-entered the United States without permission after being deported, subsequent to a conviction for a felony.

FURTHER AFFIANT SAYETH NOT



TONYA M. SLAGER  
SPECIAL AGENT, HSI

SUBSCRIBED and SWORN TO  
before me this 27<sup>th</sup> day of December, 2010.



JANIE S. MAYERON  
UNITED STATES MAGISTRATE JUDGE